



## FORMALITIES LETTER



\*OC000000005321638\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/576,778	05/23/2000	Martin Schulein	5843.200-US

Nova Nodisk of North America Inc  
405 Lexington Avenue  
Suite 6400  
New York, NY 10017

Date Mailed: 08/14/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

---

*A copy of this notice **MUST** be returned with the reply.*



---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



SECTOR \$

Attorney Docket No.: 5843.200-US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Schülein et al.

Application No.: 09/576,778

Group Art Unit: To be assigned

Filed: May 23, 2000

Examiner: To be assigned

For: Family 9 Endo-Beta-1.4-Glucanases

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

I hereby certify that the attached correspondence comprising:

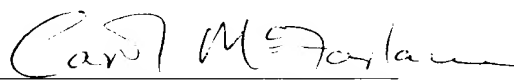
1. Response to Notice to File Missing Parts (in duplicate)
2. Copy of Notice to File Missing Parts
3. Executed Combined Declaration and Power of Attorney
4. Certified Copy of Priority Application

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, DC 20231

on September 21, 2000.

Carol McFarlane  
(name of person mailing paper)

  
(signature of person mailing paper)



Attorney Docket No.: 5843.200-US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Schülein et al.

Serial No.: 09/576,778

Group Art Unit: To be assigned

Filed: May 23, 2000

Examiner: To be assigned

For: Family 9 Endo-Beta-1,4-Glucanases

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

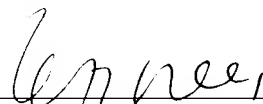
In response to the Notice to File Missing Parts dated August 14, 2000 (a copy thereof is attached hereto), Applicants submit the Combined Declaration and Power of Attorney signed and dated by Applicants for the above-captioned application.

Applicants also enclose certified copy of Danish application no. PA 1999 00755, priority of which is claimed under 35 U.S.C. 119.

Please charge the required fee, estimated to be \$130.00, to Novo Nordisk of North America, Inc., Deposit Account No. 14-1447. Please credit any overpayment to Deposit Account No. 14-1447. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: September 21, 2000

  
\_\_\_\_\_  
Reza Green, Reg. No. 38,475  
Novo Nordisk of North America, Inc.  
405 Lexington Avenue, Suite 6400  
New York, NY 10174-6401  
(212) 867-0123

0300



Attorney Docket No.: 5843.200-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Schülein et al.

Serial No.: 09/576,778

Group Art Unit: To be assigned

Filed: May 23, 2000

Examiner: To be assigned

For: Family 9 Endo-Beta-1,4-Glucanases

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

I hereby certify that the attached correspondence comprising:

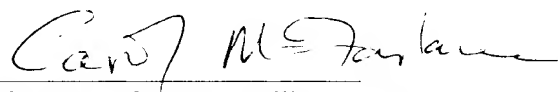
1. Statement Under 37 C.F.R. 1.808

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Asst. Commissioner for Patents  
Washington, DC 20231

on September 21, 2000.

Carol McFarlane  
(name of person mailing paper)

  
(signature of person mailing paper)



Attorney Docket No.: 5843.200-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Schülein et al.

Application No.: 09/576,778

Group Art Unit: To be assigned

Filed: May 23, 2000

Examiner: To be assigned

For: Family 9 Endo-Beta-1,4-Glucanases

STATEMENT UNDER 37 C.F.R. 1.808

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

The above-captioned application refers to deposit of biological material which have been made at Dsmz-Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH under the Budapest Treaty and assigned accession numbers DSM 12805.

All restrictions on the availability to the public of the deposited material will be irrevocably removed upon the granting of the U.S. patent.

The deposit will be maintained for (a) thirty years, (b) at least five years after the most recent request for the furnishing of a sample of the deposit is received by the depository, or (c) the enforceable life of the U.S. patent granted from this application, whichever is longest. If the deposited material becomes inviable during the above term, the deposited material will be replaced.

Respectfully submitted,

Date: September 21, 2000

Reza Green, Reg. No. 38,475  
Novo Nordisk of North America, Inc.  
405 Lexington Avenue, Suite 6400  
New York, NY 10174-6401  
(212) 867-0123



VIENNA CONVENTION ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

1999-04782-01

INTERNATIONAL FORM

Novo Nordisk A/S  
Novo Allé

DK-2880 Bagsvaerd

VIABILITY STATEMENT

issued pursuant to Rule 10.2 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page

I. DEPOSITOR	II. IDENTIFICATION OF THE MICROORGANISM
Name: Novo Nordisk A/S Novo Allé Address: DK-2880 Bagsvaerd	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: DSM 12805  Date of the deposit or the transfer <sup>1</sup> : 1999-05-14
III. VIABILITY STATEMENT	
The viability of the microorganism identified under II above was tested on 1999-05-14 <sup>2</sup> . On that date, the said microorganism was  (X) <sup>3</sup> viable  ( ) <sup>3</sup> no longer viable	
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERFORMED <sup>4</sup>	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH  Address: Mascheroder Weg 1b D-38124 Braunschweig	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  U. Wehls  Date: 1999-05-19

- <sup>1</sup> Indicate the date of original deposit or, where a new deposit or a transfer has been made, the most recent relevant date (date of the new deposit or date of the transfer).  
<sup>2</sup> In the cases referred to in Rule 10.2(a) (ii) and (iii), refer to the most recent viability test.  
<sup>3</sup> Mark with a cross the applicable box.  
<sup>4</sup> Fill in if the information has been requested and if the results of the test were negative.



BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

1999-04782-01

INTERNATIONAL FORM

Novo Nordisk A/S  
Novo Allé

DK-2880 Bagsvaerd

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT  
issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR:  NN049474	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:  DSM 12805
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
<p>The microorganism identified under I. above was accompanied by:</p> <p>(X ) a scientific description (X ) a proposed taxonomic designation</p> <p>(Mark with a cross where applicable).</p>	
III. RECEIPT AND ACCEPTANCE	
<p>This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on 1999-05-14 (Date of the original deposit)<sup>1</sup>.</p>	
IV. RECEIPT OF REQUEST FOR CONVERSION	
<p>The microorganism identified under I above was received by this International Depositary Authority on (date of original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on (date of receipt of request for conversion).</p>	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH  Address: Mascheroder Weg 1b D-38124 Braunschweig	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):    Date: 1999-05-19

<sup>1</sup> Where Rule 6.4 (d) applies, such date is the date on which the status of international depositary authority was acquired.